

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Bankruptcy No. 10-23108-BM
)
Cherotwo Arapsali and) Chapter 7
Marjorie A. DeAngelis,)
Debtors,)
) Document No.
Cherotwo Arapsali and)
Marjorie A. DeAngelis,)
Movants,)
)
vs.)
)
No Respondent.)

**DEBTORS' MOTION TO RELEASE FUNDS FROM COURT
REGISTRY ACCOUNT**

AND NOW, come the Debtors, Cherotwo Arapsali and Marjorie A. DeAngelis, by and through their attorneys, CALAIARO & CORBETT, P.C., and Francis E. Corbett and present the following:

1. This case was filed as a voluntary Petition under Chapter 13 of the Bankruptcy Code on April 29, 2010. The case was subsequently converted to Chapter 7 by Order dated February 10, 2011.
2. During the course of the Chapter 13 case, the Debtors made payments to the Chapter 13 Trustee.
3. Part of the payments was to be paid over to Volkswagen Credit Inc. by virtue of a secured claim relating to the Debtors' 2006 Volkswagen Jetta.
4. This creditor failed to file a Proof of Claim in the case and so the Trustee made no distributions to the secured claim.

5. The Chapter 13 Trustee has paid those funds of \$3,744.22 over to the Bankruptcy Clerk citing the reason: "creditor is on global reserve and no proof of assignment filed".

6. As a result of these circumstances, the Debtors car payments are now behind by 11 months, reflecting the amount turned over to the clerk in this case.

7. Debtors seek to have these funds released so that they can be paid to Volkswagen Credit.

8. Debtors request that the funds be released payable to Volkswagen Credit, Inc. and turned over to them so that they can be delivered to the proper correction office.

WHEREFORE, Debtors request that this Court enter an Order directing the Clerk of the Bankruptcy Court to release funds in the amount of \$3,744.22 payable to Volkswagen Credit, Inc. to the Debtors for the purpose stated herein.

Respectfully submitted,

DATED: 4/5/11

BY: /s/ Francis E. Corbett

Donald R. Calaiaro, Esquire, PA I.D. #27538
Francis E. Corbett, Esquire, PA I.D. #37594
David Z. Valencik, Esquire, PA I.D. #308361

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CERTIFICATE OF SERVICE

I, Francis E. Corbett, verify under penalty of perjury that a copy of **DEBTORS' MOTION TO RELEASE FUNDS FROM COURT REGISTRY ACCOUNT** was served on the following by First Class Mail, postage paid:

Office of the U.S. Trustee
1001 Liberty Avenue
Suite #970, Liberty Center
Pittsburgh, PA 15222

John J. Horner, Esq., Clerk
U.S. Bankruptcy Court
5414 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Cherotwo Arapsali
Marjorie S. Deangelis
1120 Lenz Avenue
Ambridge PA 15003

DATED: 4/5/11

/s/ Francis E. Corbett

Francis E. Corbett
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